

Notice of Allowability

Application No.

10/052,293

Examiner

Crystal J. Barnes

Applicant(s)

KREIDLER ET AL.

Art Unit

2121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment received on 11 April 2005.
2. ☒ The allowed claim(s) is/are 33-36,53,54,57 and 63.
3. ☒ The drawings filed on 11 April 2005 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 27 Apr & 5 May '05
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

1. The following is a Notice of Allowability in response to the Amendment received on 11 April 2005. Claims 1-32, 37-52, 55, 56, 58-62 and 64-93 have been cancelled. Claims 33, 34, 53 and 56 have been amended. Claims 33-36, 53, 54, 57 and 63 remain pending in this application.

EXAMINER'S AMENDMENT

2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Scott T. Weingaertner, Reg. No. 37,756 on 4 May 2005.

The application has been amended as follows:

IN THE CLAIMS:

Claim 33 line 3 from bottom, deleted "which" and inserted --such--.

Claim 34 line 2 from bottom, deleted "which" and inserted --such--.

Claim 53 last line, inserted --wherein via such unique identification means
the host computer associates machine state data received from the
client computer with its source-- after "client computer".

Claims 51, 52, 55, 56, 58-62, and 64-93, cancelled the claims.

REASONS FOR ALLOWANCE

3. Claims 33-36, 53, 54, 57 and 63 are allowed.
4. The following is an examiner's statement of reasons for allowance:

As per claims 33, 34 and 53, the prior art of record taken alone or in combination fails to teach via the unique identification means the host computer associates machine state data received from the client computer with its source.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Election/Restrictions

5. This application is in condition for allowance except for the presence of claims 51, 52, 55, 58-62 and 64-93 to inventions non-elected without traverse. Accordingly, claims 51, 52, 55, 56, 58-62 and 64-93 have been cancelled.

Information Disclosure Statement

6. The examiner has considered the information disclosure statements (IDS) submitted on 27 April 2005 and 5 May 2005.

Drawings

7. The replacement drawing sheets were received on 11 April 2005. These drawings are acceptable.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following references are cited to further show the state of the art with respect to remote communication in general:

USPN 6,742,044 B1 to Aviani et al.

USPN 6,061,668 to Sharrow

JPPN 2002352308 A to NAKAJIMA

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Crystal J. Barnes whose telephone number is 571.272.3679. The examiner can normally be reached on Monday-Friday alternate Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571.272.3687. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

CJB
11 May 2005



Anthony Knight
Supervisory Patent Examiner
Group 3800